



DECLARATION FOR PATENT APPLICATION

As the below-named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first co-inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled METHODS FOR MODULATING ANGIOGENESIS USING PROKINETICIN RECEPTOR ANTAGONISTS, the specification of which

_____ is attached hereto as Attorney Client-Matter No. _____).

X was filed on November 13, 2003, as Application Serial No. 10/713,567
(Attorney Client-Matter No. 66778-359)

and was amended on (or amended through)_____.
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an

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argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby claim the benefit under Title 35, United States Code, § 120 of the prior United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 that became available between the filing date of the prior application(s) listed below and the filing date of this continuation-in-part application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/426,203	November 13, 2002	Abandoned
10/016,481	November 11, 2001	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of first inventor: Qun-Yong Zhou

Inventor's signature:



Date:

5/20/2004

Residence:

Irvine, California, U.S.A.

Citizenship:


United States of America

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Irvine, California 92612
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Full name of second inventor: Frederick J. Ehlert

Inventor's signature: 

Date: 21 May 04

Residence: Irvine, California, U.S.A.

Citizenship: United States of America

Mailing Address: 29 Whitman Court
Irvine, California 92612
U.S.A.



PATENT
Client-Matter No.: 66778-359

Applicant: Zhou and Ehler
Serial No.: 10/713,567
Filed: November 13, 2003
For: METHODS FOR MODULATING ANGIOGENESIS USING
PROKINETICIN RECEPTOR ANTAGONISTS

**POWER OF ATTORNEY BY ASSIGNEE AND EXCLUSION OF
INVENTOR(S) UNDER 37 C.F.R. 3.71**

Dear Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; ANDREA L. GASHLER, Registration No. 41,029; DEBORAH L. CADENA, Registration No. 44,048; ASTRID R. SPAIN, Registration No. 47,956; and PAMELA M. GUY, Registration No. 51,228.

as its attorney(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71.

An assignment of the entire interest in the above-identified subject application:

☐ was recorded on [date] at reel/frame [reel/frame].

☒ is submitted herewith for recording.


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Please direct all telephone calls to Cathryn Campbell, at 858-535-9001 and all correspondence relative to said application to the following address:

McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive
Suite 700
San Diego, California 92122 USA

Dated: February 6, 2004

ASSIGNEE: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Signature: 

Typed Name: Linda S. Stevenson

Title: Manager, Patent Prosecution

Office of Technology Transfer
1111 Franklin Street, 12 Floor
Oakland, CA 94607-5200



STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: METHODS FOR MODULATING ANGIOGENESIS
USING PROKINETICIN RECEPTOR ANTAGONISTS

Application Ser. No.: 10/713,567

Filed: November 13, 2003

Inventor(s): Zhou and Ehlert

Attorney Client-Matter No.: 66778-359

The Regents of the University of California, a non-profit organization, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

February 6, 2004

Date

Signature: Linda S. Stevenson
Name: Linda S. Stevenson
Title: Manager, Patent Prosecution

The Regents of the University of California
Office of Technology Transfer
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

ASSIGNMENT

U.C. Case No.: 2003-064-2 MWE Client-Matter No.: 66778-359

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Qun-Yong Zhou

2. Frederick J. Ehlert

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, A California Corporation, having its statewide administrative offices located at 1111 Franklin Street, 12th Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled: METHODS FOR MODULATING ANGIOGENESIS USING PROKINETICIN RECEPTOR ANTAGONISTS.

and which is found in

(a)___ U.S. provisional application filed herewith and listing the above named persons as inventors

(b)___ U.S. patent application filed herewith and listing the above named persons as inventors

(c) X U.S. application serial no. 10/713,567, filed on November 13, 2003.

(d)___ U.S. Patent No.: _____, issued _____.

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;


ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Director of the United States Patent and Trademark Office to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

Executed this

Signature of Inventor(s)

20 day of May, 2004



21 day of May, 2004

